



Missouri Division of Workforce Development
DWD Issuance 24-2017

Issued: May 14, 2018
Effective: May 14, 2018

Subject: Transfer Amounts Allowable between Workforce Innovation and Opportunity Act Adult and Dislocated Worker Programs' Funding Streams

1. Purpose: This Issuance updates procedures for Local Workforce Development Board (Local WDB) transfers of formula allocations between the Workforce Innovation and Opportunity Act (WIOA)¹ Title I Adult and Dislocated Worker programs. It adds specific reference to the Final Rules² implementing WIOA which were published after previous guidance³ on this topic, and it supersedes and rescinds that Issuance.

This Issuance also updates State policy to remove the previous requirement to file a Local Plan Modification when such transfers exceed 20 percent of the original allocation.

2. Background: WIOA maximized (to 100 percent) the amount of Adult and Dislocated Worker program funds that may be transferred between those funds from each annual allocation by the State (including both the Program Year and the Fiscal Year totals).⁴

However, WIOA, and the implementing regulations⁵ for that section of the law regarding such transfers, require written approval from the State before such transfers are made. State policy also requires submission of transfer requests through the Financial Reporting System (FRS).

An additional previous State requirement for transfer requests, where the total exceeded 20 percent of the original allocated or re-allocated formula allocation, was to prepare an accompanying Local Plan Modification. This Modification was to be publicly posted for comment and then submitted to the State for approval. **This Plan Modification requirement is hereby ended.** Local WDBs still must file a formal request to transfer, and use the FRS submission process, as before.

3. Substance: Before submitting a transfer request, the Local WDB should analyze the changing economic conditions in its Local Workforce Development Area (LWDA) to identify the need(s) for additional funding flexibility.

The printed transfer request submitted through the FRS must include the following information:

- The percent and dollar amount of the LWDA's Adult or Dislocated Worker formula funds to be transferred.
- The justification for this transfer between the Adult and Dislocated Worker programs, which must include the following information:

¹ Pub. L. 113-128 [[29 U.S.C. 3101 et. seq.](#)].

² *Workforce Innovation and Opportunity Act, Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions; Final Rule*, ETA Docket 2015-0002, August 19, 2016.

³ DWD Issuance 08-2015, "Transfer Amount Allowable between Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker Programs' Funding Streams," October 21, 2015.

⁴ WIOA sec. 133(b)(4) [[29 U.S.C. 3173\(b\)\(4\)](#)].

⁵ [20 CFR 683.130](#).

- 1) The general purpose or reason for the transfer between Adult and Dislocated Worker programs;
 - 2) An explanation of the need for the transfer between Adult and Dislocated Worker programs (examples: “to address an increase in the number of welfare recipients in the LWDA,” or “because of a decrease in the number of plant closings and mass layoffs”);
 - 3) A projection as to how the transfer will affect the program from which the funds are being transferred; and
 - 4) A narrative explanation of how the transferred funds will be used (examples: “to increase staffing at the Missouri Job Center in the LWDA,” or “to provide tuition assistance for Dislocated Workers”).
- Local WDBs still must continue to operate both the Adult and the Dislocated Worker programs. They also are expected to meet their agreed-upon performance numbers, notwithstanding the funding transfer.
 - Once the transfer is approved, the Division of Workforce Development (DWD) will monitor the affected LWDA for positive performance outcomes from these programs.

4. Action: This Issuance, and the cessation of the Plan-Modification requirement, are effective immediately. Distribute this information to all appropriate workforce system staff.
5. Contact: Please direct questions or comments regarding this Issuance to dwdpolicy@ded.mo.gov.
6. Reference:
 - WIOA sec. 133(b)(4) [[29 U.S.C. 3173\(b\)\(4\)](#)].
 - [20 CFR 683.130](#).
7. Rescissions: This Issuance supersedes and replaces DWD Issuance 08-2015, “Transfer Amount Allowable between Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker Programs’ Funding Streams,” dated October 21, 2015.
8. Attachments: None.

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